

Tenant-Landlord Commission FY 2015 Annual Report



Fairfax County Tenant-Landlord Commission
June 30, 2015

Fairfax County Board of Supervisors



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Chairman's Message

I am pleased to report that the Tenant-Landlord Commission continues to provide fair and objective assistance to the tenant-landlord communities within Fairfax County. The Commission members work together with the staff of the Consumer Affairs Branch of the Department of Cable and Consumer Services to fulfill the goals of the Commission. The focus of the Commission is on the stakeholders from the tenant and landlord communities and their valuable feedback and input that allow the Commission to provide timely educational information and services.

I acknowledge the valuable contributions of each Commissioner, and on behalf of the Commission, sincerely thank the Fairfax County Board of Supervisors for the opportunity to enrich the quality of life for tenants and landlords in Fairfax County.

Michael R. Congleton
Chair
Tenant-Landlord Commission



Executive Summary

The Tenant-Landlord Commission (Commission) was established on October 27, 1971, by the Fairfax County Board of Supervisors to give objective and fair assistance to the county's tenants and landlords by providing easy to read and understandable publications, brochures, checklists, videos, and public service announcements. Topics covered include information about tenant-landlord laws as well as applications, leases, security deposits, maintenance and repairs, rent, eviction, and where to seek help when problems arise. The knowledge and information shared by the Commission adds value to the renting experience for all in Fairfax County. This information is available on the Consumer Affairs Branch (CAB) website.

The voluntary mediation provided by CAB offers tenants and landlords an open forum in which to resolve disputes and issues relating to rental dwelling units. When mediation is exhausted, the Commission provides voluntary arbitration. A citizen, tenant, and landlord member of the Commission conduct a hearing that is legally binding on the participants and can be enforced in court if necessary. These dispute resolution alternatives foster open communication between tenants and landlords without the time-consuming expense of a formal court hearing.

In January 2014, there were 71,670 rental complex housing units in Fairfax County. CAB processed over 2,000 inquiries from tenants and landlords. Questions were received about security deposits, maintenance and repair problems, lease agreements, evictions, laws, tenants facing foreclosure, and other issues impacting rental dwellings.

The Commission develops educational material in partnership with CAB, Fairfax County Government Channel 16, other county agencies, and community stakeholders. Publications like the Lease Checklist, Tenant Resource Sheet, and Renting a Room in Fairfax County provide guidance so tenants can make informed decisions to insure they have a safe, healthy, and quality rental experience. Fairfax County Government Channel 16 programming provides educational information on maintenance and repair obligations, bed bugs, and renter's insurance. CAB promotes our services through informative tips sheets and posting current tenant-landlord issues on social media sites such as Facebook, and the comprehensive Consumer Central Web site at www.fairfaxcounty.gov/consumer.

After CAB closes a complaint, a case summary outlining the details of the complaint is available to inquiring tenants and landlords on the Consumer Central Web page. Reviewing closed complaints and how they were resolved provides information that can be used to determine if a rental dwelling will fit your needs and lifestyle.

Since renting provides an important option and choice for many in Fairfax County, the Commission remains committed to creating awareness and knowledge of the services available for the tenant-landlord community. Moving forward, the Commission will continue to take an active role in making both tenants and landlords aware of their rights and responsibilities through information, education, and arbitration.

Tenant-Landlord Commission



Michael R. Congleton

Citizen Commissioner, Chair

Karen M. Geier-Smith

Landlord Commissioner, Secretary

Tony E. Gomez

Citizen Commissioner

Christopher L. Kocsis

Landlord Commissioner, Vice Chair

Angelina M. Panettieri

Tenant Commissioner, Vice Chair

Paula Park

Landlord Commissioner

The Fairfax County Board of Supervisors established the Commission on October 27, 1971, pursuant to Fairfax County Code Section 12-2-1. The purpose of the Commission is to provide assistance and information to educate the public pertaining to tenant-landlord matters. The duties and powers of the Commission are outlined in Chapter 12 of the Fairfax County Code. This code applies to rental agreements regarding dwelling units located in Fairfax County.

The Commission is composed of Fairfax County residents appointed by the Board of Supervisors. The Commission was originally composed of nine members; four tenant representatives, four landlord representatives, and one representative of the community at large. On September 23, 1974, the Board of Supervisors adjusted the membership to include three landlord members, three tenant members, and three public members. On April 27, 1981, a condominium member was added.

The business of the Commission is guided by Bylaws adopted by a majority vote of the Commission members and approved by the Board of Supervisors.

The mission of the Commission is to give objective and fair assistance to Fairfax County's tenants and landlords.

The Commission's goals are to:

- Advise the Board of Supervisors of tenant-landlord problems and trends
- Educate the public concerning rights and responsibilities of tenants and landlords
- Inform tenants and landlords of the mediation and arbitration services available through CAB
- Recommend changes in tenant-landlord laws at all levels of government
- Represent Fairfax County before legislative, public, and private bodies
- Arbitrate tenant-landlord complaints referred by CAB

CAB staff provides day-to-day responses to inquiries for information, referrals, or advice, and offers voluntary mediation to tenants and landlords. CAB is available to assist the public Monday to Friday from 8 a.m. to 4:30 p.m.

CAB mediates and facilitates complaints regarding tenant-landlord disputes when the rental dwelling is located in Fairfax County. When mediation efforts are exhausted, a voluntary, but legally-binding arbitration process is available through the Commission. Arbitration provides an efficient and inexpensive alternative to court for resolving tenant-landlord disputes. The hearings are scheduled at the convenience of the tenant and landlord. The Commission most recently conducted an arbitration hearing on May 7, 2015, regarding a security deposit dispute. During the hearing, the appointed arbitrators heard the allegations and considered the evidence presented by the tenant, the landlord, and a witness. The arbitration panel found in favor of the tenant who was awarded \$1,500, which was paid by the landlord.

During each Virginia General Assembly session, CAB staff keeps the Commission updated on legislation that may affect the quality of life of tenants and landlords in the county.

Rental Housing in Fairfax County

Fairfax County offers a broad variety of housing for rent. Potential renters can choose from single-family homes, townhouses, condominiums, apartment communities in suburban settings, and high-rise apartments with an urban look and feel.

In January of 2014 there were 71,670 rental complex housing units in Fairfax County. However, the total inventory of available rental units is greater because this number does not include units leased by individual owners directly to tenants. The chart below illustrates the increase in tenant-landlord complaints received by CAB compared to other categories during the period from fiscal year 2011 to 2015. This complaint information is shared with the Commission and is used to better serve the tenant-landlord community.

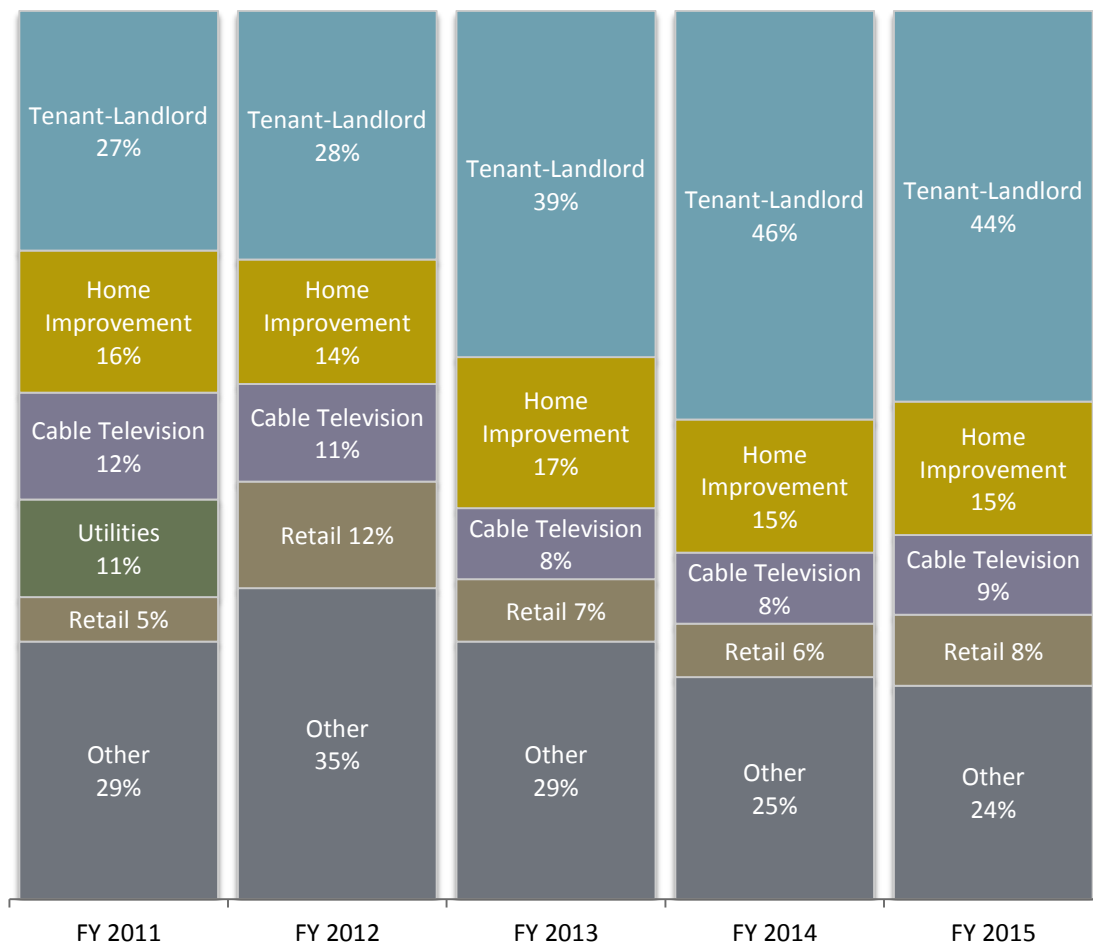


Figure 1 Annual Consumer Top Complaint Categories Fiscal Year 2011-2015

As the county redevelops and reinvigorates CAB staff and the Commission will continue to provide needed education and information to residents as multifamily dwellings in the county increase along with rentals by individual owners.

Tenant-Landlord Case Inquiries

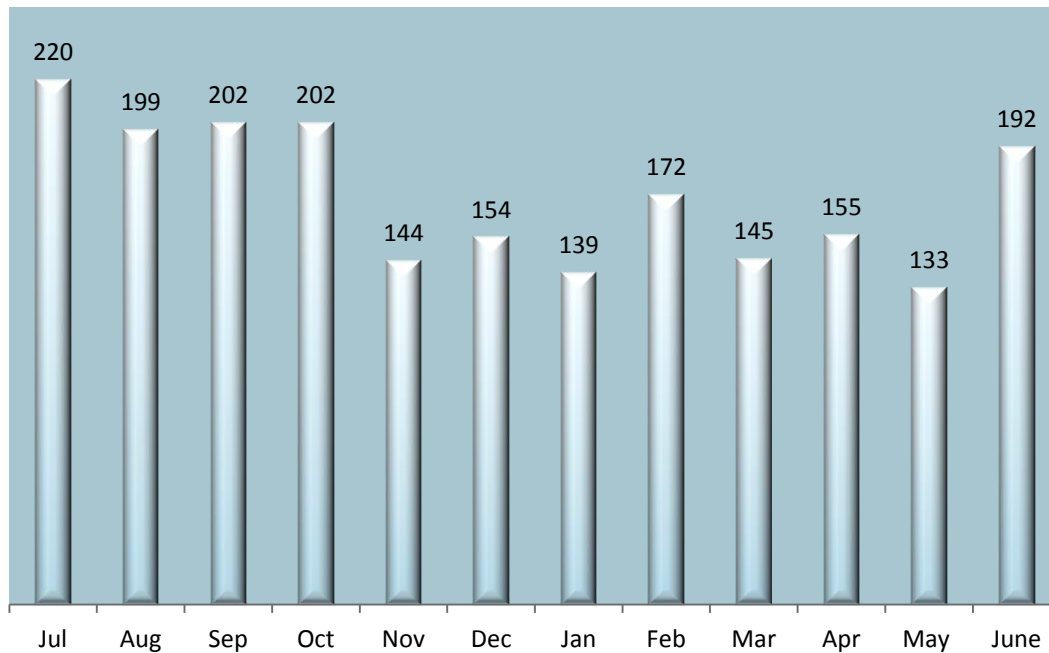


Figure 2 Monthly Tenant-Landlord Case Inquiries Fiscal Year 2015

During fiscal year 2015 CAB processed over 2,000 inquiries from tenants and landlords. Questions were received about security deposits, maintenance and repair problems, lease agreements, evictions, laws, tenants facing foreclosure, and other issues impacting rental dwellings. This information is shared with the Commission, which develops educational information such as brochures, checklists, cable programming, public service announcements, and tip sheets that address ongoing concerns and trends regarding rental dwellings in the Fairfax community.

To get the information prepared by the Commission to the communities where tenants and landlords live and work, CAB staff offers presentations to tenants and landlords by coordinating with schools, county agencies, community groups, civic associations, and faith based and for-profit and non-profit organizations. This collaboration keeps the Commission, CAB, and communities connected and invested in maintaining livable neighborhoods.

Tenant Landlord Publications

The Tenant-Landlord Commission analyzes trends and issues of concern in response to complaints mediated by CAB staff. As residents of the county, Commissioners bring a wealth of knowledge and expertise regarding rental dwellings. Their collective knowledge is used to develop the following educational information and publications for the tenant-landlord community.

LEASE CHECKLIST

The lease agreement is the most important document between a tenant and landlord. This checklist provides guidance for prospective tenants and landlords so they can understand the rights, responsibilities, and obligations involved with a lease agreement. Links are provided to resources and laws for both tenants and landlords.

HANDBOOK FOR TENANTS AND LANDLORDS

The handbook offers expanded information about tenant-landlord laws, industry practices, and principles, along with useful guidance for tenants and landlords. Links to the various laws, regulations, and ordinances that govern tenants and landlords, along with information resources and referrals are provided so tenants and landlords know where to go and whom to contact in Fairfax County for assistance and information.

TENANT RESOURCE SHEET

This resource sheet provides information for tenants so they know which county agency to call if they need assistance with repair or maintenance problems in their rental dwelling. Tenants are encouraged to contact their landlord first when there is a problem, but if they do not get the help they need, they can contact the county agency that addresses their issue.

WHAT TENANTS AND LANDLORDS NEED TO KNOW

This brochure provides answers to questions frequently asked by tenants and landlords regarding laws, lease agreements, rent, security deposits, maintenance and repairs, eviction, and what to do and where to go when there is a dispute or problem.

ENERGY-SAVING TIPS FOR RENTERS

Reducing energy consumption and protecting the environment provide real savings for renters and landlords. These energy-saving tips offer renters ways to save money by improving the energy efficiency and use of a rental dwelling.

RENTING A ROOM IN FAIRFAX COUNTY

For many, renting a room is the first step into entering the residential rental market. Resources are provided to guide prospective tenants with information to help them select a room that best meets their housing needs.

Tenant-Landlord Video Programs

The programs below are available on Fairfax County Government Channel 16 on the Comcast, Cox, and Verizon cable systems, and through Live Video Streaming, or anytime with Video on Demand on the county Web site.

MAINTENANCE AND REPAIR OBLIGATIONS

To maintain quality housing requires routine and regular maintenance and repairs. This *Consumer Focus* program provides a balanced discussion regarding the rights and responsibilities of maintaining a rental dwelling from the perspective of both tenants and landlords. This program was developed in coordination with the Fairfax County Department of Code Compliance, and the Division of Environmental Health of the Fairfax County Health Department.

BED BUGS

This program provides an overview of how to detect and defend against bed bugs. Guidance and information is provided by CAB, the Fairfax County Health Department, American Pest Management, and Southern Management Corporation.

RENTER'S INSURANCE PSAs

The Commission developed these public service announcements to encourage tenants to get renter's insurance. The announcements highlight the need for tenants to protect their personal property from events such as flood, fire, theft, or other perils, as well as coverage for accidental injury to others. Information is provided in coordination with the Virginia Bureau of Insurance of the Virginia State Corporation Commission.

Community Outreach

CAB provides outreach presentations throughout the year when requested by schools, housing providers, community groups, civic associations, senior centers, and faith based and non-profit organizations. The majority of the requests occur during the school calendar year.

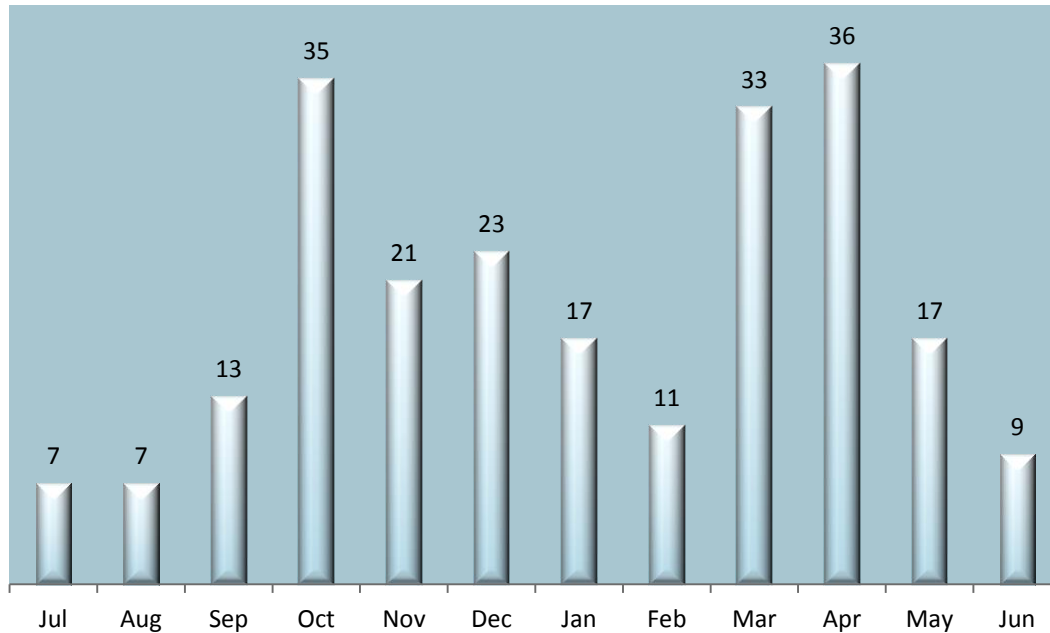


Figure 3 Monthly Consumer Outreach Events for Fiscal Year 2015

CAB offers presentations on the following topics:

- What Tenants Need to Know
- What Landlords Need to Know
- Home Improvement
- Practical Advice about Warranties
- Online Holiday Shopping
- All About Consumer Affairs
- Homeowners Associations 101
- When Debt Collectors Call
- Identity Theft
- Medical Identity Theft
- How to Recognize a Scam
- What's in Your Credit Report
- High School 101
- Foreclosure Rescue Scams
- Door to Door Scams

Information prepared by the Commission is used by CAB in an ongoing series of public outreach efforts to educate tenants and landlords about the information and resources available through CAB. Following are recent tenant-landlord outreach activities:

AUDUBON MOBILE HOME PARK

Manufactured Home Communities in Fairfax County are governed by the Virginia Code, Chapter 13.3 - Manufactured Home Lot Rental Act. CAB shared information regarding rights, responsibilities, and obligations of tenants and landlords.

LEGAL SERVICES OF NORTHERN VIRGINIA

CAB coordinates with Legal Services of Northern Virginia (LSNV) in order to meet our common goal of providing information and guidance to tenants and landlords in Fairfax County. LSNV is a referral source for tenants facing foreclosure.

ABC-7 PHONE BANK

CAB participated in the ABC 7 On Your Side phone bank about landlord-tenant issues. Along with other regional agencies, staff answered questions from viewers during a live broadcast from 5:00 p.m. - 6:30 p.m.

SUPPORTIVE SERVICES FOR VETERANS FAMILIES

CAB joined presenters from Maryland and the District of Columbia in providing information and answering questions about tenant-landlord laws in Virginia with an emphasis on resources available in Fairfax County. This information was shared with organizations that work directly with veterans and their families.

5TH ANNUAL NORTHERN VIRGINIA HOUSING EXPO

CAB participated with the Fairfax County Homeownership and Relocation Services Division to provide tenant-landlord information to expo attendees. A workshop was also presented by CAB on Tenant Rights and Responsibilities.

BAILEY'S ELEMENTARY SCHOOL

CAB worked with the Parent Liaison at Bailey's Elementary School to provide tenants in the neighborhood with information and resources as well as provide on the spot assistance regarding issues relating to lease agreements, maintenance or repairs, or other issues that CAB can provide mediation to assist in resolving.

KATHERINE HANLEY FAMILY SHELTER

CAB coordinated with Shelter House, Inc. to provide presentations and share and exchange information regarding tenant rights and responsibilities to staff and residents at the Katherine Hanley Family Shelter.

In addition, CAB promotes our services through informative tips sheets and posting current tenant-landlord issues on social media sites such as Facebook, and the comprehensive Consumer Central Web site at www.fairfaxcounty.gov/consumer.

Complaint Summaries

Below are summaries of cases mediated by CAB staff with feedback from tenants satisfied with the assistance received from CAB.

SECURITY DEPOSIT DISPUTE

TARIQ "I would like to take this opportunity to commend Ms. Thompson's involvement as a mediator and her display of outstanding professionalism."

The tenant, Tariq, alleged that the landlord's property manager failed to return the tenant's security deposit. The tenant further alleged that the landlord's property manager claimed that the tenant failed to provide a 60 day notice to vacate. The tenant stated that the lease did not require such notice and requested that the landlord's property manager return the tenant's \$1,225 security deposit. After CAB mediation, the landlord's property manager refused to refund any monies to the tenant. The landlord contacted CAB and stated that the property manager was terminated. After itemized deductions, the landlord returned \$1,100 to the tenant.

MAINTENANCE AND REPAIR

Beatriz, the tenant, alleged that the landlord failed to replace the refrigerator in the rental dwelling. According to the tenant, the refrigerator had broken knobs, missing shelves, and the freezer caused food burn. The tenant requested that the landlord replace the refrigerator. After CAB mediation, the landlord provided confirmation that a new, upgraded refrigerator was ordered as soon as the problem was reported by the tenant, but the delivery would take 2-3 weeks. The landlord kept the tenant updated until the new refrigerator was installed as requested by the tenant.

BEATRIZ "I just want to let you know that the fridge has been installed this past Saturday and everything is working fine with it. Thank you for all your help."

Tenant-Landlord Commission Meetings

The Commission meets bi-monthly at the Fairfax County Government Center. Meetings are open to the public and time is available for public comment.

In Review

Having served the tenant-landlord community for over four decades, the Commission remains committed to keeping tenants and landlords informed in response to housing trends, issues, and needs. The balanced membership of the Commission ensures that all residents of Fairfax County have a voice and that tenants and landlords have a consistent, reliable source for getting information to help them understand their rights, responsibilities, and obligations.

The strength, expertise, knowledge, and commitment of the Commission provide assurance that Fairfax County will remain a destination where tenants and landlords can enjoy being a part of a neighborhood that not only provides a great place to live, work, and explore, but a place they can truly call home.

Fairfax County Tenant-Landlord Commission

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703-222-8435 TTY 711

www.fairfaxcounty.gov/consumer



Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities. Reasonable accommodations will be provided upon request. To request this information in an alternate format, call 703-222-8435 TTY 711.



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